

It was alleged in the libel that the article was adulterated in that a substance consisting of grapefruit juice with added sugar and water had been substituted for grapefruit juice.

Misbranding was alleged for the reason that the statement on the label, "Grapefruit Juice", was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On February 19, 1934, the Orlando Canning Co. having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered by the court that the product be released to the claimant upon the execution of a bond in the sum of \$300, conditioned that it be relabeled under the supervision of this Department. It was further ordered that claimant pay the costs of the proceedings.

M. L. WILSON, *Acting Secretary of Agriculture.*

**21916. Adulteration and misbranding of potatoes. U. S. v. 2,400 Sacks of Potatoes. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 31569. Sample no. 54727-A.)**

This case involved a shipment of potatoes which were sold as U.S. No. 1 but which were found to contain an excessive number of potatoes showing grade defects.

On November 10, 1933, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 2,400 sacks of potatoes at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about November 3, 1933, by the Idaho Sales Co., from Hansen, Idaho, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "U.S. No. 1, Selected Idaho Mountain Grown Potatoes."

It was alleged in the libel that the article was adulterated in that potatoes below the grade indicated on the label had been substituted for the article.

Misbranding was alleged for the reason that the statement on the label, "U.S. No. 1", was false and misleading and deceived and misled the purchaser.

On November 17, 1933, the Cochrane Brokerage Co., Kansas City, Mo., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant, upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned that the potatoes be sorted and that the unfit portion be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**21917. Adulteration of butter. U. S. v. 14 Boxes, et al., of Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31657. Sample nos. 54290-A, 54291-A, 54292-A.)**

This case involved shipments of butter that were found to contain hairs, fragments of feathers, mold, larvae, and segments of the bodies of flies.

On December 1, 1933, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 142 boxes of butter at Baltimore, Md., alleging that the article had been shipped in interstate commerce between September 22, 1933, and October 17, 1933, by Swift & Co., from Fulton, Ky., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance.

On January 10, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

**21918. Adulteration of dried prunes. U. S. v. 100 Sacks of Dried Prunes. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31675. Sample nos. 60319-A, 60323-A.)**

This case involved an interstate shipment of dried prunes that were found to be in part decomposed.

On December 5, 1933, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 100 sacks, each containing 100 pounds of dried prunes, at Seattle, Wash., alleging that the article

had been shipped in interstate commerce on or about November 20, 1933, by the Jory Packing Co., from Salem, Oreg., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Jory Packing Co."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a decomposed vegetable substance.

On February 7, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

**21919. Misbranding of bone and meat scrap. U. S. v. 60 Bags of Bone and Meat Scrap. Default decree of condemnation, forfeiture, and destruction.** (F. & D. no. 31681. Sample no. 14145-A.)

This case involved a shipment of feed that contained less protein than declared on the label.

On December 7, 1933, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 60 bags of bone and meat scrap at Gaithersburg, Md., alleging that the article had been shipped in interstate commerce on or about November 11, 1933, by the Wilkins-Rogers Milling Co., from Washington, D.C., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Bone & Meat Scrap Guaranteed Analysis Protein 50% \* \* \* Manufactured by Norton & Co. Washington, D.C."

It was alleged in the libel that the article was misbranded in that the statement on the label, "Protein 50%", was false and misleading and deceived and misled the purchaser.

On January 24, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

**21920. Adulteration and misbranding of Poultry Leaf and Alfalfa Leaf Meal. U. S. v. 365 Bags of Poultry Leaf and 35 Bags of Alfalfa Leaf Meal. Decree of condemnation and forfeiture. Product released under bond to be relabeled.** (F. & D. no. 31682. Sample nos. 14146-A, 14147-A.)

This case involved alleged alfalfa meal products that were found to consist of mixtures of stem and leaf meal and to contain less protein and more fiber than was declared on the label.

On or about December 8, 1933, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 365 bags of Poultry Leaf and 35 bags of Alfalfa Leaf Meal at Derwood, Md., alleging that the articles had been shipped in interstate commerce on or about November 11, 1933, by the Urbana Mills, from Toledo, Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part: (Tags) "Poultry Leaf \* \* \* Urbana Mills Urbana, Ohio" and "Greenleaf Alfalfa Leaf Meal \* \* \* Akron-Urbana Mills, Urbana, Ohio."

It was alleged in the libel that the articles were adulterated in that mixtures of stem and alfalfa meal had been substituted for the articles.

Misbranding was alleged for the reason that the following statements appearing on the tags were false and misleading and deceived and misled the purchaser: (Poultry Leaf) "Poultry Leaf Crude Protein, not less than 17.0 Per Cent Crude Fibre, not more than 23.0 Per Cent", (Greenleaf Alfalfa Leaf Meal) "Alfalfa Leaf Meal Crude Protein, not less than 20.0 Per Cent Crude Fibre, not more than 18.0 Per Cent."

Misbranding was alleged for the further reason that the articles were sold under the distinctive names of other articles.

On January 13, 1934, the Urbana Mills, Urbana, Ohio, having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned that it be relabeled to conform to the requirements of the Federal Food and Drugs Act.

M. L. WILSON, *Acting Secretary of Agriculture.*